



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

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OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

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To	Don Henry	From	Jose L. Gutierrez
Dept./Agency	U.S. Dept of Interior	Phone #	(415) 744-1829
Fax #	602-640-2730	Fax #	(415) 744-1235
NSN 7540-01-317-7388		5099-101 GENERAL SERVICES ADMINISTRATION	

APR 14 1995

Don Henry
U.S. Department of the Interior
Fish and Wildlife Service
Arizona Ecological Services Field Office

RE: Magma Florence In Situ Copper Mine Project-Endangered Species Consultation

Dear Mr. Henry:

Magma Copper Company is proposing to submit an Underground Injection Control Class III Permit Application under 40 CFR Part 144, 146, and 147 for the in-situ mining Florence Project. In compliance with 40 CFR 144.4 (c), the *Endangered Species Act*, the Environmental Protection Agency (EPA), before issuing an injection well permit, must ensure that the action authorized by the EPA is not likely to jeopardize the continued existence of any endangered or threatened species or adversely affect any critical habitat.

The EPA is planning a site visit of the proposed mining area on April 20, 1995. A list of endangered, threatened, or other species of special concern in the vicinity of existing mines and property holdings was provided by Mr. Sam F. Spiller in January of 1993 to Magma Copper Company. The letter listed Federal endangered and candidate species which may be found in the vicinity. I've included the letter from Mr. Spiller as an attachment to this fax. A representative from the Department of Interior is requested to attend the site visit to provide an opportunity for Magma Copper Company and the EPA to discuss any matters dealing with endangered species and actions that could be taken to mitigate any impact.

If any Fish and Wildlife Service staff person plans to attend or has questions on scheduling, please call me at (415) 744-1829. Thank you very much for your time and assistance.

Sincerely,

Jose L. Gutierrez
Environmental Engineer



JAN 21 1993

UNITED STATES
DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
ARIZONA ECOLOGICAL SERVICES FIELD OFFICE
3616 West Thomas Road, Suite 6
Phoenix, Arizona 85019



Telephone: (602) 379-4720 FAX: (602) 379-6629 2-21-93-I-052

January 15, 1993

Dale Deming
Environmental Services
Magma Copper Company
7400 North Oracle Rd., Suite 200
Tucson Arizona 85704

Dear Mr. Deming:

This letter is in response to your October 14, 1992, request for lists of endangered, threatened, or other species of special concern in the vicinity of existing mines and property holdings in Pinal, Gila, and Yavapai counties, Arizona.

We apologize for the lateness of our reply. The following is a list of Federal endangered and candidate species which may be found in the vicinity of the mines and properties:

* Endangered Species

- Arizona hedgehog cactus (Echinocereus triglochidiatus var. arizonicus)**not found at San Manuel or McCabe areas**
- Lesser long-nosed bat (Leptonycteris curasoae v. verbabuenae)**not found at McCabe area**

Category 1 Species

- Southwestern willow flycatcher (Empidonax traillii extimus)
- Cactus ferruginous pygmy owl (Glaucidium brasilianum cactorum)**San Manuel only**

Category 2 Species

Reptiles

- Chuckwalla (Sauromalus obesus)

Amphibians

- Lowland leopard frog (Rana yavapaiensis)
- Arizona southwestern toad (Bufo microscaphus microscaphus)

Plants

- Tonto Basin agave (Agave delamateri)**not found at San Manuel or McCabe areas**
- San Carlos wild buckwheat (Eriogonum capillare)** not found at San Miguel, McCabe, or Florence areas**
- Hohokam agave (Agave murpheyi)**not found at San Miguel, McCabe, or Florence areas**

at
Florence?

MammalsCalifornia leaf-nosed bat (Macrotus californicus)Greater western mastiff bat (Eumops perotis californicus)Mexican long-tongued bat (Choeronycteris mexicana)**San Manuel only**Yavapai Arizona pocket mouse (Perognathus amplus amplus)

Endangered species must be considered before project developments. Candidate species are those which may in the future be considered for listing as endangered or threatened species. Category 1 candidates are those for which the Fish and Wildlife Service has substantial information to support proposing to list the species as endangered or threatened. Category 2 candidates are those for which such information is not available and for which we are seeking conclusive data on biological vulnerability and threats. Although candidate species have no legal protection, we would appreciate your consideration of them in the development of the projects.

Please be aware, that this list is very general. In the event new projects occur in the area, you must notify the Fish and Wildlife Service again to update the list. Species may be added or removed from the list depending on the type and extent of the projects. For example, the list currently does not include any fish species. However, should a project include water consumption or dumpings that may affect drainages, fish species may be added to the list. In addition, the Arizona Game and Fish Department may know of species in the area that are State-listed or that are of management concern.

In future communications on these projects, please refer to consultation number 2-21-93-I-052. If we may be of further assistance, please contact Lorena Wada or me.

Sincerely,

Sam F. Spiller
Field Supervisor

cc: Director, Arizona Game and Fish Department, Phoenix, Arizona